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September 27, 2024

VIA ECF

Honorable Joseph E. Laplante
United States District Court for the District of New Hampshire
55 Pleasant Street
Concord, NH 03301

Re: *Armendariz, et al. v. Sig Sauer, Inc.*, Case No. 22-cv-536-JL

Dear Judge Laplante:

Our firm represents defendant Sig Sauer, Inc. in the above-captioned action. On September 13, 2024, the parties participated in a discovery conference with Your Honor to discuss the plan for handling fact discovery in this consolidated action. The conference was initiated due to a dispute between the parties concerning the manner and location of the plaintiffs' depositions (remote deposition v. in-person in New Hampshire). Each party submitted a letter to the Court laying out its position on this issue. At the conference, Your Honor reserved judgment on the manner of conducting depositions and, instead, requested the parties confer and present a joint proposal (or, in the event an agreement could not be reached, individual proposals for the Court's consideration) to select bellwether plaintiffs for an initial round of full discovery and selection for initial trial or trials.

The parties have conferred and have agreed on an initial selection process for bellwether trial or trials. Of the fifty (50) plaintiffs who have completed initial written discovery, the parties request that ten (10) plaintiffs be randomly selected by the Court and identified to counsel. Those 10 plaintiffs' cases will proceed through complete discovery, including depositions of the plaintiffs and any relevant fact witnesses, examination of physical evidence, and any other pertinent discovery needs as determined by the parties. The parties will confer with the Court prior to the discovery deadline set in the current Scheduling Order [Doc. 49] to confirm whether discovery is complete for this initial set of 10 plaintiffs and to discuss how discovery should proceed for the remaining plaintiffs.

Following the completion of discovery on the initial set of 10 plaintiffs, each party will select two (2) plaintiffs to be included in the initial trial or trials. The parties will jointly submit a brief overview of the remaining six plaintiffs' claims to the Court for selection of two (2) additional cases for trial. The parties do not intend to address the sequence or logistics of trial(s) in this letter, and both parties reserve their right to raise issues regarding trial details in the future.

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The list of 50 plaintiffs from whom the initial batch of 10 should be selected is attached to this letter. Once the plaintiffs have been selected, the parties will confer on a plan for conducting the depositions of these plaintiffs. To the extent the parties cannot agree on the logistics of these depositions, we will request guidance from Your Honor.

The parties appreciate Your Honor's time and assistance in this matter. To the extent the Court has any questions or wants to discuss this proposal further, we will make ourselves available to discuss at the Court's convenience.

Respectfully submitted,

LITTLETON JOYCE UGHETTA & KELLY LLP


Keith Gibson

cc: All counsel of record, via ECF

List of Plaintiffs for Random Selection

1. Fernando Armendariz
2. Nicola Bevacqua
3. Kyle Boshers
4. Matthew Breedon
5. Zachary Brown
6. Anothony Buck
7. Christopher Campbell
8. William Campbell
9. Catherine Chargualaf
10. Vincent Cicala
11. Erin Cooper
12. Wendell Cuasito
13. Johnny Davis
14. Dionicio Delgado
15. Mary Doffeny
16. David Duff
17. Juan Duran
18. Russell Dykema
19. Kyla Ellis
20. Stephen Fernandez
21. James Garth
22. Rodney Gatson
23. Joseph Halase
24. Cordell Hamilton
25. Colton Harp
26. Amy Hendel
27. Nathan Henyan
28. Marcos Hernandez
29. Dwight Jackson
30. Paulo Jacuzzi
31. Charles Laskey
32. Michael Lingo
33. Adam Maritato
34. John Mazur-Baker
35. John McArtor
36. Benardino Nido
37. Loudres Ortiz
38. Jorge Palacios
39. Michael Parker
40. Robert Parks
41. Melvin Rivera
42. Miranda Rosas

- 43. Timothy Rzasa
- 44. James Scoppa
- 45. Patrick Sheridan
- 46. Charles Statler
- 47. Brian Tennant
- 48. Ray Tillotson
- 49. Christian Wuollet
- 50. Jerry Wyche